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**JAN 18 2007**

**FACSIMILE MESSAGE**

Date: January 18, 2007  
To: Examiner Frederick C. Nicolas  
Serial No.: 10/615,997  
Re: \_\_\_\_\_

To Fax No: (571) 273-8300  
From: Robert A. Lloyd  
Our Ref: IMI 40075  
Total Pages: 3

Dear Examiner Nicolas:

Attached is a Confirmation of a January 18, 2007 telephone conference.

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Application No. 10/615,997  
Confirmation of Telephone Conference of January 18, 2007

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
Terrence R. Davis	)	Examiner: Frederick C. Nicolas
Serial No. 10/615,997	)	Group Art Unit 3754
Filed: July 8, 2003	)	Attorney Docket IMI 40075
For: Beverage Dispense	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CONFIRMATION OF A JANUARY 18, 2007**

**TELEPHONE CONFERENCE WITH THE EXAMINER**

On January 18, 2007, applicant's undersigned attorney had a telephone conference with the examiner about a September 19, 2006 Office Action in the subject patent application, a December 18, 2006 amendment that was filed in response to the Action, and a January 10, 2007 Advisory Action.

The September 19, 2006 Office Action in was marked on its face as "non-final". Applicant's December 18, 2006 amendment in response to the Action therefore amended the application claims in a manner believed to overcome the rejections set forth in the Action. The January 10, 2007 Advisory Action, however, treats the December 18 amendment as being filed after a "final" rejection, as failing to place the

Application No. 10/615,997

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application in condition for allowance, and as raising new issues that would require further search. It was therefore stated in the Advisory Action that the amendment was not entered

In the course of the telephone conference, the examiner agreed that the September 19, 2006 Office Action was actually made "non-final", and that the Advisory Action was in error in treating it as a "final" Action. The examiner therefore indicated that he would attend to correcting the Patent Office records and issue a fresh Office Action in the application.

Respectfully submitted,



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